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| EXAMINER | |
|---|---|
| TRUONG, CAM Y T | |
| **ART UNIT** | **PAPER NUMBER** |
| 2162 | |

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/852,829 | LOWE ET AL. | |
| | Examiner | Art Unit | |
| | Cam Y T. Truong | 2162 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *23 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1. Applicant has amended claims 1, 6, 7,11 and added claim 17 in the amendment filed on 5/23/2005 Claims 1-16 are pending in this Office Action.

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

### *Response to Arguments*

2. Applicant argued that Barber does not show "receiving a system object, displaying the attributes of that system object, and then allowing the user to select one of the attributes for the search query" and the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claimed.

Examiner respectfully disagrees the entire allegation as argued. Examiner, in her previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

In response to applicant's argument, Barber does not teach "receiving a system object". Barber teaches after user selects a Bears thumbnail 100 and a Water thumbnail 106, these two thumbnails are draped and dropped to window 90. In order to generate a query based on the thumbnails 100 and 106 are dropped in the example image window 90, a Run Query option is selected. The above information shows that the user receives a Bears thumbnail 100 for selecting. The thumbnail is represented as a first system object (fig. 5, col. 2, lines 65-67; col. 3, lines 1-2; col. 9, lines 37-51);

In response to applicant's argument, Barber does not teach "displaying the attributes of that system object". Barber teaches displaying different color red and purple of the thumbnails of thumbnails on fig. 5. An attribute means a characteristic (Collegiate Dictionary, col. Left, page 75). Color red and purple are characteristics of thumbnails. Thus, the color red and purple of the thumbnails are represented as attributes of the object (col. 9, lines 24-28).

In response to applicant's argument, Barber does not teach allowing the user to select one of the attributes for the search query. Barber teaches as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search query from selected set of colors for the Bears thumbnail. The above information shows a user selects the displayed Red, Green or blue of the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20);

In response to Applicants' argument that Barer does not disclose claimed limitations in the cited section (cited location has nothing to do with applicant's invention). Examiner likes to point out that in the "Schering Corp. v. Geneva Pharmaceuticals Inc., 64 USPQ2d 1032 (DC NJ 2002) Decided August 8, 2002." In the above case it is concluded that the prior art **disclosure need not be express in order to anticipate**. Even if a prior art inventor does not recognize a function of his or her process, the process can anticipate if that function was inherent. To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and **that it would be so recognized by persons of ordinary skill. Inherency is not necessarily coterminous with the knowledge of those of ordinary skill in the art**. Artisans of ordinary skill may not recognize the inherent characteristics or functioning of the prior art. However, the discovery of a previously unappreciated property of a prior art composition, or of a scientific explanation for the prior art's functioning, does not render the old composition patentably new to the discoverer. Insufficient prior understanding of the inherent properties of a known composition does not defeat a finding of anticipation.

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action.

For the above reason, examiner believed that rejection of the last office action was proper.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 17 is rejected under 35 U.S.C.101 because the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practice application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C 101.

As regarding claim 17:

While the preamble of the claim states, "a method in a data processing system for building a search query", the claim fails to contain a computer that is used implemented the method so as to realize its functionality. Thus, claim 17 is merely abstract idea and is being processed without any links to a practical result in the technology arts and without computer manipulation.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-4, 6-10 and 12-15 are rejected under 35 U.S.C. 102(b) as being unpatentable over Barber et al (or hereinafter "Barber") (US 5579479) in view of Jain et al (or hereinafter "Jain") (US 5913205).

As to claim 1, Barber teaches method for building a search query in a data processing system having a graphical user interface (fig. 5, col. 5, lines 22-29), comprising the steps of:

"responsive to user input, dropping a graphical component representing a first system object onto a graphical component representing a query function" as responsive to user's selection, an image query is constructed by moving selected image characteristic representations from a selection area to the image query area. For example, after user selects a Bears thumbnail 100 and a Water thumbnail 106, these two thumbnails are draped and dropped to window 90. In order to generate a query based on the thumbnails 100 and 106 are dropped in the example image window 90, a Run Query option is selected. The above information shows that the thumbnails are dropped onto the window 90 that is represented as a query function. Each thumbnail is represented as a first system object (fig. 5, col. 2, lines 65-67; col. 3, lines 1-2; col. 9, lines 37-51);

"presenting a set of attributes of the first system object" as displaying different color red and purple of the thumbnails on fig. 5 (col. 9, lines 24-28); and

"receiving a user selection of at least one attribute in the set of attributes to create a selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The

color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20);

"responsive to the user selection, creating a search query from the selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search

query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20).

Barber does not explicitly teach the claimed limitation "wherein said first system object contains an attribute for which the user wishes to create a query". Jain teaches object 202 contains a plurality of attributes which the user can selects to create a query on the query window as shown in fig. 3 (col. 11, lines 10-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jain's teaching of containing a plurality of attributes of an object to allow a user selects attributes for creating a query to Barber's system in order to allow users to find objects that contain similar properties and further reduce the time performing the comparison, especially when larger numbers of images are in the database.

As to claim 2, Barber teaches the claimed limitation "the step of using the search query to assemble a set of system objects having attributes similar to the selected set of attributes" as matching each image in database having colors similar to the selected set of colors (col. 17, lines 29-58).

As to claim 3, Barber teaches the claimed limitation "wherein the subsystem attribute is a graphical user interface (GUI) subsystem attribute" as v_color 91 is represented as a GUI subsystem attribute (fig. 5).

As to claim 4, Barber teaches the claimed limitation "the step of defining a search scope for assembling the set of system objects" as (col. 15, lines 3-20; col. 17, lines 35-40).

As to claim 6, Barber teaches the claimed limitations:

" a bus system an input device connected to the bus system" as shown in fig. 1, wherein a data processing system 10 includes a processing unit 12, a video display unit 13, and a cursor control system including a screen cursor 15 and a mouse 10. The cursor 15 is used to drap and drop thumbnails from the image characteristics window 24 to the image query construction window 23. One window 23 or 24 is represented as GUIs that provides through the cursor control 21 the ability to control the cursor 15 by movement of the mouse 16. The data processing system 10 is a computer (figs. 1&5, col. 4, lines 56-62; col. 5, lines 10-18). As shown in fig. 1, an input/output device 23 is connected indirectly to the bus 12 (Vora, US 5819273). Thus, the data processing system 10 has included a bus system that is used to connect to the mouse 10 for receiving user input;

"a memory connected to the bus system, wherein the memory includes a set of instructions" as the data processing system 10 further includes a data storage mechanism 17 which may include various peripheral drives and local memory utilized by the data processing system 10 to execute programs, control various hardware and software entities of the system and to store data. The data

processing system 10 is a computer (col. 4, lines 62-67; col. 5, lines 3, lines 23-24). As shown in fig. 1, a memory is connected to the bus 12 (Vora US 5819273). Thus, the data processing system 10 has included a bus system that is used to connect to memory. This memory includes programs. The programs are represented as instructions; and

" a processing unit connected to the bus system" as the data processing system 10 includes a processing unit 12. This data processing system 10 is a computer (fig. 1, col. 4, lines 57-58; col. 3, lines 39-40). As shown in fig. 1, a memory is connected to the bus 12 (Vora US 5819273). Thus, the data processing system 12 has included a bus system that is used to connect to a processing unit for controlling moving symbols on displays;

"the processing unit receives a user selection of at least one attributes in the set of attributes to create a selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that

the system creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20);

"wherein the processing unit, responsive to user input from the input device, executes the set of instructions to drop a graphical component representing a first system object onto a graphical component representing a query function" as the processing unit 12, responsive to user's selection, an image query is constructed by moving selected image characteristic representations from a selection area to the image query area. For example, after user selects a Bears thumbnail 100 and a Water thumbnail 106, these two thumbnails are draped and dropped to window 90. In order to generate a query based on the thumbnails 100 and 106 are dropped in the example image window 90, a Run Query option is selected. The above information shows that the thumbnails are dropped onto the window 90 that is represented as a query function. Each thumbnail is represented as a first system object (fig. 5, col. 2, lines 66-67; col. 3, lines 1-2; col. 9, lines 37-51);

"the processing unit presents a set of attributes of the first system object" as the processing unit 12 displays different color red and purple of the thumbnails on fig. 5 (col. 9, lines 24-28), and

"responsive to the user selection from the input device, the processing unit creates a search query from the selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B

enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20).

Barber does not explicitly teach the claimed limitation "wherein said first system object contains an attribute for which the user wishes to create a query". Jain teaches object 202 contains a plurality of attributes which the user can selects to create a query on the query window as shown in fig. 3 (col. 11, lines 10-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jain's teaching of containing a plurality of attributes of an object to allow a user selects attributes for creating a query to Barber's system in order to allow users to find objects that contain similar properties and further reduce the time performing the comparison, especially when larger numbers of images are in the database.

As to claim 7, Barber teaches a system for building a search query in a data processing system having a graphical user interface (fig. 5, col. 5, lines 22-29), comprising:

"dropping means, responsive to user input, for dropping a graphical component representing a first system object onto a graphical component representing a query function" as responsive to user's selection, an image query is constructed by moving selected image characteristic representations from a selection area to the image query area. For example, after user selects a Bears thumbnail 100 and a Water thumbnail 106, these two thumbnails are draped and dropped to window 90. In order to generate a query based on the thumbnails 100 and 106 are dropped in the example image window 90, a Run Query option is selected. The above information shows that the thumbnails are dropped onto the window 90 that is represented as a query function. Each thumbnail is represented as a first system object (fig. 5, col. 2, lines 65-67; col. 3, lines 1-2; col. 9, lines 37-51);

"presenting means for presenting a set of attributes of the first system object" as the processing unit 12 displays different color red and purple of the thumbnails on fig. 5 (col. 9, lines 24-28), and

"the processing unit receives a user selection of at least one attributes in the set of attributes to create a selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B

enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20);

"creating means, responsive to the user selection, for creating a search query from the selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system

creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20).

Barber does not explicitly teach the claimed limitation "wherein said first system object contains an attribute for which the user wishes to create a query". Jain teaches object 202 contains a plurality of attributes which the user can selects to create a query on the query window as shown in fig. 3 (col. 11, lines 10-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jain's teaching of containing a plurality of attributes of an object to allow a user selects attributes for creating a query to Barber's system in order to allow users to find objects that contain similar properties and further reduce the time performing the comparison, especially when larger numbers of images are in the database.

As to claim 8, Barber teaches the claimed limitation "using means for using the search query to assemble a set of system objects having attributes similar to the selected set of attributes" as matching each image in database having colors similar to the selected set of colors (col. 17, lines 29-58).

A to claim 9, Barber teaches the claimed limitation "wherein the subsystem attribute is a graphical user interface (GUI) subsystem attribute" as v color 91 is represented as a GUI subsystem attribute (fig. 5).

As to claim 10, Barber teaches the claimed limitation "defining means for defining a search scope for assembling the set of system objects" as (col. 15, lines 3-20; col. 17, lines 35-40).

As to claim 12, Barber teaches a computer program product in a computer a readable medium for building a search query in a data processing system having a graphical user interface (figs. 1& 5, col. 5, lines 22-29), comprising:

"instructions, responsive to user input, for dropping a graphical component representing a first system object onto a graphical component representing a query function" as responsive to user's selection, an image query is constructed by moving selected image characteristic representations from a selection area to the image query area. For example, after user selects a Bears thumbnail 100 and a Water thumbnail 106, these two thumbnails are draped and dropped to window 90. In order to generate a query based on the thumbnails 100 and 106 are dropped in the example image window 90, a Run Query option is selected. The above information shows that the thumbnails are dropped onto the window 90 that is represented as a query function. Each thumbnail is represented as a first system object (fig. 5, col. 2, lines 65-67; col. 3, lines 1-2; col. 9, lines 37-51);

"instructions for presenting a set of attributes of the first system object" as displaying different color red and purple of the thumbnails on fig. 5 (col. 9, lines 24-28);

"the processing unit receives a user selection of at least one attributes in the set of attributes to create a selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20);

"instructions, responsive to user selection, for creating a search query from the selected set of attributes" as shown in fig. 8A, suppose that the Bears thumbnail was dragged and dropped on to the example image window. The color picker option is displayed in the pull down of fig. 8B enables the user to set an absolute color using a color picker process window. Accordingly, a segmented color pie chart is displayed. To select the displayed color, the user picks a pie segment by moving the cursor to the segment and clicking a mouse button. A following double-click anywhere in the pie chart will return the Color

Picker process to the polychrome mode. Moving Red, Green or Blue sliders in the Color Picker window enables a user to mix a color directly. After selecting colors, the user selects Run Query option. The run query will search and find images that including Bears and selected colors. It means that the system creating a search query from selected set of colors for the Bears thumbnail (figs. 5&8A-8C, col. 10, lines 48-49; col. 11, lines 8-23; col. 7, lines 10-20).

Barber does not explicitly teach the claimed limitation "wherein said first system object contains an attribute for which the user wishes to create a query". Jain teaches object 202 contains a plurality of attributes which the user can selects to create a query on the query window as shown in fig. 3 (col. 11, lines 10-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jain's teaching of containing a plurality of attributes of an object to allow a user selects attributes for creating a query to Barber's system in order to allow users to find objects that contain similar properties and further reduce the time performing the comparison, especially when larger numbers of images are in the database.

As to claim 13, Barber teaches the claimed limitation "instructions for using the search query to assemble a set of system objects having attributes similar to the selected set of attributes" as matching each image in database having colors similar to the selected set of colors (col. 17, lines 29-58).

As to claim 14, Barber teaches the claimed limitation "wherein the subsystem attribute is a graphical user interface (GUI) subsystem attribute" as v color 91 is represented as a GUI subsystem attribute (fig. 5).

As to claim 15, Barber teaches the claimed limitation "instructions for defining a search scope for assembling the set of system objects" as (col. 15, lines 3-20; col. 17, lines 35-40).

7. Claims 5, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber et al (or hereinafter "Barber") (US 5579479) in view of Jain and further in view of Czerwinski et al (or hereinafter "Czerwinski") (US 6188405).

As to claims 5, 11 and 16, Barber discloses the claimed limitation subject matter in claims 1, 7 and 12, except the claimed limitation "wherein the first system object represents the data processing system in a distributed computing environment". Czerwinski teaches a user should be able to view and organize all objects, e.g., a picture or image and to edit on a selected object in a distributed computing environment (fig. 1, col. 8, lines 9-13; col. 9, lines 23-26).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Czerwinski's teaching of a user should be able to view and organize all objects and to edit on a selected object in a

distributed computing environment to Barber's system in order to allow plurality of users from different locations to search/retrieve objects.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garg et al (or hereinafter "Garg") (US 6567846) in view of Bloomfield et al (or hereinafter "Bloomfied") (US 5461710) and Lautzenheiser et al (or hereinafter "Lautzenheiser") (US 6574621).

As to claim 17, Garg teaches the claimed limitations:

"receiving a request to run a query and a property identification" as if a user click on any of the items shown in hierarchy window 604 such as web page 610, that web page will in turn be accessed from the Internet and displayed in user's work area 606. The above information shows that the system has received a request as user's click to run a query, the item name of 610 i.e., AMD Home is represented as file name. This file name is represented as a property identification (fig. 8, col. 27, lines 35-45);

"receiving a representative graphical user interface object by a find function" as when a user clicks on File Bugs 608, the File Bugs is displaying in window 606. Displaying the File Bugs 608 in window 606 to a user indicates the user receives the displayed the File Bugs 608 (col. 27, lines 47-55);

"receiving a selection of said representative graphical user interface object" as click on a folder such as File Bugs (fig. 9A);

"responsive to said selection of said representative graphical user interface object, displaying a set of properties for said representative graphical

user interface object" as after a user selects File Bugs as a object, the system displays the attributes of the File bugs (fig. 9A);

"receiving a selection of at least one of said set of properties for said representative graphical user interface object that form selected properties" as a user can enter conditions by simply clicking on the specific field between any desired attributes and value pair. As shown in fig. 9 by the data definition table at 626 there are three conditions existing on a query being composed by the user. The first row of the record shows that a required condition is that the unit attribute equals the value Bus unit. Since the unit attribute is an alphanumeric field, this mean that the character string bus unit must be the values of the unit attribute if an object instance of this file bugs data definition is to match the query. The above information shows that the system has received user selection an attribute (col. 28, lines 12-50);

"responsive to receiving said selected properties, receiving query instructions that form received query instructions" as shown in fig. 9 by the data definition table at 626 there are three conditions existing on a query being composed by the user. The first row of the record shows that a required condition is that the unit attribute equals the value Bus unit. Since the unit attribute is an alphanumeric field, this mean that the character string bus unit must be the values of the unit attribute if an object instance of this file bugs data definition is to match the query. Once the query has been composed, the user may decide to do one of three things with the query. For example the user

chooses to immediately execute the query by pressing Execute button (col. 28, lines 44-60);

"constructing a search query using the received query instructions to form a constructed query; running the constructed query to obtain query results of objects" as Once the query has been composed, the user may decide to do one of three things with the query. For example the user chooses to immediately execute the query by pressing Execute button, the display of fig. 11 is generated. Fig. 11 shows screen display 640, which includes the results of executing the query of fig. 9 (col. 28, lines 55-67).

Garg does not explicitly teach the claimed limitation "after receiving said request to run a query, said property identification, and said representative graphical user interface object, determining whether said representative graphical user interface object has been dragged into a template search folder; responsive to a determination that said representative graphical user interface object has been dragged into said template search folder; returning the query results of object to a results folder"

Grag teaches receiving a request to run a query, file name and displayed file of file name (figs. 8-9A).

Bloomfield teaches with a drag and drop mouse action, a new object can be picked off of a template stack and dropped into any folder (col. 10, lines 34-40).

Lautzenheiser teaches that it is contemplated that data module 172 may store the data object received from survey analysis module 164 in a prior results

file. Once a request is received by data module 172 from knowledge module 170, data module 172 may search the prior result file 198 via search engine 196 to determine whether the requested data object have already been generated and stored. If so, data module 172 may provide the requested data objects from prior results file 198 directly to knowledge module 170 (col. 15, lines 9-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bloomfield's teaching of with a drag and drop mouse action, a new object can be picked off of a template stack and dropped into any folder, and Lautzenheiser's teaching of store the data object received from survey analysis module 164 in a prior results file to Grag's system in order to decrease the execution time for a same corresponding request to retrieve objects and further to create multiple copies of objects as icons to allow a user manipulate objects on GUI easily and effectively.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Contact Information**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam-Y Truong
Patent Examiner
Art Unit 2162
7/27/2005

SHAHID ALAM
PRIMARY EXAMINER